Report Of The Task Force On Public Order

for the Province of British Columbia

April 1992

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- A special thanks is extended to mayors and members of municipal councils and district boards. As well, the task force acknowledges the important input from community groups, chambers of commerce, and other business organizations, festival groups and concerned individuals.

- The task force thanks the municipal, provincial and federal police officers for their cooperation and valuable contributions.

- A special dimension was added to the report as a result of the insights and candid comments of students from Penticton Secondary and Kelowna Secondary Schools.

- The cooperation and assistance of the staff of the Union of B.C. Municipalities and the Faculty of the School of Criminology at Simon Fraser University are appreciated.

- The task force gratefully acknowledges the assistance provided by the staff of the Police Services Branch of the Ministry of the Attorney General of B.C.

- The task force expresses special thanks to Zachary Fleming for his unique research contribution.

- The invaluable work of Laura Fraser as Research Coordinator is gratefully acknowledged.

EXECUTIVE SUMMARY

This task force was established in August 1991 by the Province of British Columbia to examine and make recommendations concerning public order issues surrounding festivals and special events. The issues to be examined included the following:

- the need for legislative amendments
- what preventive measures should be taken
- what level of government should bear the responsibility for providing extra police resources

The task force held public meetings at various locations throughout British Columbia and met individually with numerous municipal, police and association officials. In addition, the task force reviewed national and international literature on the subject of public order.

The task force made a number of findings. Significant among these is the fact that although there are in excess of 2,000 festivals and events annually in British Columbia, very few involve public disorder. There is, however, widespread concern among the general public that disorder and violence at special events is on the rise. Some communities believe that they are either currently at, or rapidly approaching, a high risk situation.

Significantly, there is a lack of knowledge about the various levels of governmental responsibility. The task force also found that there is a large pool of knowledge and experience concerning the planning and organizing of festivals within individual communities which is not being shared.

The task force learned that there are inequities among communities in the allocation of extra police resources and it is the general feeling among most of those involved that the host municipality should pay.

It became very evident that alcohol consumption is a major contributing factor in public disorder. Present legislation and the ticketing process are totally ineffective in dealing with this problem.

Finally, the task force found that public disorder at festivals and events is only a symptom of the much wider problem of the growing incidence of large disorderly gatherings of young people.

As the result of these findings, the task force makes the following recommendations:

THAT THE PROVINCE OF BRITISH COLUMBIA:

- **MODIFY THE *LIQUOR CONTROL AND LICENSING ACT* TO CLEARLY IDENTIFY THOSE CIRCUMSTANCES UNDER WHICH POSSESSION AND TRANSPORTATION OF ALCOHOL IS LAWFUL AND WHEN IT IS NOT, AND TO PROVIDE PENALTIES FOR UNLAWFUL POSSESSION**

- **MODIFY THE *OFFENCE ACT* TO INCREASE THE ENFORCEMENT CAPACITY OF THE VIOLATION TICKET USED TO ENFORCE THE *LIQUOR CONTROL AND LICENSING ACT***

- **ENSURE THAT TOTAL COSTS OF POLICING FOR SPECIAL EVENTS ARE BORNE BY THE MUNICIPALITY HOLDING THE EVENT**

- **COLLECT, CONSOLIDATE AND DISSEMINATE THE KNOWLEDGE NECESSARY TO EFFECTIVELY REDUCE PUBLIC ORDER PROBLEMS**

THAT LOCAL JURISDICTIONS:

- **DEVELOP FORMAL MECHANISMS FOR APPROVING FESTIVALS AND SPECIAL EVENTS TO ENSURE THAT APPROPRIATE PLANNING IS IN PLACE AND THAT THE COSTS OF PUBLIC ORDER MAINTENANCE HAVE BEEN ADEQUATELY COVERED**

- **DEVELOP THE ABILITY TO TRANSFER ALL OR PART OF EXTRA-ORDINARY POLICE COSTS TO THE ASSOCIATION OR ORGANIZATION HOLDING THE EVENT, UNDER CERTAIN CIRCUMSTANCES**

FINALLY, THAT THE PROVINCE OF BRITISH COLUMBIA:

- **BEGIN THE ACTIVE RESEARCH, LEGAL REVIEW AND PROGRAM DEVELOPMENT NECESSARY TO EXAMINE WAYS TO REDUCE THE GROWING PROBLEM OF LARGE DISORDERLY GATHERINGS OF YOUNG PEOPLE**

The body of this report contains the background and rationale for these recommendations. Support documentation is contained in a series of appendices. (Additional support material, such as letters, news clippings, etc., is available on request from the Ministry of Attorney General, Communications and Public Affairs Branch, Victoria.)

INTRODUCTION

HISTORY

The Task Force on Public Order was created by the solicitor general in August 1991 to address concerns about public disturbances at festivals and local events across the province.

After experiencing problems, some municipalities have decided to cancel their festivals. Kelowna, for example, cancelled its decades-old regatta and White Rock cancelled its sand castle event, as the result of vandalism, noise and huge, unruly crowds.

It was generally felt that the constituents of these municipalities would no longer tolerate these levels of disturbance and that the drawbacks inherent in the event far outweighed the benefits to the community. Other communities, however, are looking for ways to reduce the likelihood of having problems as an alternative to discontinuing their festivals. This has been accomplished in some municipalities. Two examples of festivals which have overcome problems are the Nanaimo Bathtub Race and Victoria's Swiftsure Festival, both of which are fairly large, annual events.

To put this task force report in context, it should be noted that the majority of local festivals have been held successfully and without major public disturbances for years; those with problems appear to be the exception rather than the norm. This suggests that it is possible to hold relatively trouble-free festivals. This task force is responding to the desire to find ways to reduce the difficulties that currently exist and to help develop the mechanisms which will keep festivals from becoming problematic.

MANDATE

The mandate of the task force was to address the issue of public disorder and provide advice and make recommendations to the provincial government on:

- what should be done to keep public order and to prevent public disturbances at community events in British Columbia
- the means by which a community can organize itself to avoid problems that may occur at special events
- the roles of provincial and municipal governments in providing resources for the maintenance of law and order

PURPOSE

There has been a great deal of interest expressed by councils, politicians, festival groups and the community at large in the outcome of the task force proceedings. Although this report is intended primarily to address specific concerns of the attorney general as described in the task force mandate, it may reach a much wider audience. For this reason, in addition to the recommendations of the task force, the report includes some approaches that communities could follow in order to reduce the likelihood of public disorder.

OUTLINE

This report comprises the following sections:

PROCESS:
This section provides a description of methods and steps taken by the task force in gathering and analyzing the information necessary to draw conclusions and make the recommendations included in this report.

SUMMARY OF PUBLIC INPUT:
This section consolidates of the opinions presented to the task force as written or verbal submissions from individuals, groups, associations, government officials and councils.

ADDITIONAL INFORMATION:
This section presents some general background information about British Columbia, useful in understanding public order problems at festivals. Also included is a description of the range of festivals and events in British Columbia.

FINDINGS:
This section presents the findings of the task force after analysis of the information collected. The task force based their findings on analysis of information collected through written submissions, private interviews, public meetings, a review of available literature and an examination of experiences outside British Columbia. The task force obtained and reviewed material relating to public disorder problems nationally and internationally from the Canadian Police College, Simon Fraser University, the National Institute of Justice in Washington, D.C., and several United States police departments.

RECOMMENDATIONS:
This final section of the report provides suggestions concerning legislative amendments and financial responsibilities for the provision of police services, as well as suggestions for procedures and approaches which could be used by communities and festival organizers.

APPENDICES:

APPENDIX A - ADDITIONAL SOURCES
APPENDIX B - VERBAL SUBMISSIONS
APPENDIX C - WRITTEN SUBMISSIONS
APPENDIX D - CITY OF PENTICTON - "FIRM BUT FAIR"
APPENDIX E - KELOWNA CHAMBER OF COMMERCE PRESENTATION
APPENDIX F - PENTICTON STUDENT COMMITTEE AGAINST RIOTING
APPENDIX G - KELOWNA RCMP PRESENTATION

PROCESS

The initial planning meetings of the task force were held in August 1991. In September 1991 the task force was introduced to the Union of B.C. Municipalities at their annual convention in Victoria.

A subsequent meeting at the convention, between several B.C. mayors and the task force, resulted in the decision to visit those municipalities and districts which had an interest in meeting with the task force. To facilitate this, a letter was circulated to all UBCM members on September 25, 1991, providing the task force's time frame for travelling and inviting written submissions as an alternative to a formal visit. The UBCM members who wished to meet with the task force in their communities arranged public meetings and made public requests for written submissions.

In total, the task force met with representatives (elected council members, heads of local organizations and residents) of 10 municipalities and regional districts. These were Penticton, North Okanagan Regional District, Kelowna, Quesnel, Williams Lake, Peace River Regional District, Lake Cowichan, Richmond, Port Hardy and the Columbia Shuswap Regional District.

Community meetings were held on a semi-formal basis, giving each local representative the opportunity to voice concerns and opinions and make suggestions as to potential solutions to the issue of public order at special events. In addition to oral submissions, the task force received written submissions, in the form of reports or letters, from a number of municipal councils, local businesses and community groups.

The task force met with representatives of the attorney general including officials from the Crown counsel's office, the Liquor Control and Licensing Branch, and the Liquor Distribution Branch. The task force also met with the B.C. Festivals Association, Vancouver's Cultural Planning Department, several festival organizations, a private security firm and the B.C. Association of Chiefs of Police. Students from Kelowna and Penticton, members of the RCMP at the local, regional, and headquarters levels, as well as a number of municipal forces, also met with the task force.

The task force reviewed a videotape of the 1991 disturbance that occurred in Penticton.

For a complete listing of individuals and organizations who provided input to the task force, see Appendices B and C.

SUMMARY OF PUBLIC INPUT

The public hearings, meetings and written submissions identified a wide range of real and perceived problems and a number of possible solutions. Although it would be impractical to address every issue that was raised, it is possible to encapsulate the main themes. The order in which these are presented is not intended to suggest a particular order of importance or reflect the frequency with which they were raised. Rather, the section is intended to be a general description of the comments made by people around the province.

It is important to note that this section describes the opinions of individuals and groups who spoke to or wrote to the task force. The views and solutions suggested here do not necessarily represent the opinions of the task force members. The task force views and suggested ways of reducing current problems and the chance of future problems are described in the Findings and Recommendations sections of this report.

ISSUES

• **Alcohol consumption:** The single most frequently mentioned issue was alcohol consumption. Issues relating to consumption included public consumption; consumption of alcohol leading to unruly behaviour; transportation of liquor; unruly behaviour in and around beer gardens; and consumption of alcohol by underage drinkers. Beer gardens were frequently cited as the main source of disorderly behaviour at public events, and some people noted that developing problems at local events led to the decision to do away with such activities. It was frequently noted, however, that the elimination of beer gardens produced a loss of revenue for the festivals.

Many young people reported that they drink, and that the average age at which young people begin to experiment with alcohol is 14 years of age. Although a few individuals felt that alcohol was not a factor in the disturbance at Penticton, many others disagreed. There was an overall opinion that underage and/or unlawful public drinking is part of "the game" which young people play with the police. One individual explicitly stated that if there was no drinking, there would be no "party" and consequently no riot.

• **Policing costs:** The issue of extraordinary policing costs was raised almost universally. Many people felt that poorly planned and unanticipated events require extra policing. The needed police officers are taken from other communities around the province and the municipalities and districts which contribute the extra manpower lose policing services in their own communities. Not surprisingly, there is considerable resentment over this issue. Some municipalities felt that the extraordinary costs were too expensive to be borne by the host municipality.

• **Behaviour of young people:** Young people (between the ages of 15 to 25, approximately) were identified by almost every person who spoke to the task force as the source of most of the unruly and problematic behaviour at public events. Generally speaking, males are singled out, although young women are seen to contribute to the problem as well. Several individuals did note, however, that there appears to be a hard-core element which tends to initiate trouble and that the majority of youths involved in disturbances do so because they are onlookers or followers.

Young people themselves reported that they specifically attended "the Penticton riot." The long weekend and the Peach Festival at Penticton are perceived among young people to be annual events which attract youths from all over. When asked why they attended the Peach Festival, several young people replied that their friends were there; they were expecting (and looking forward to) trouble; that there were large, exciting crowds; and that the event which the young people were attending, regardless of the organized attractions of the Peach Festival, was a "great big party."

The students who met with the task force in Penticton and Kelowna were quite ambivalent about the disturbance. Many stated that they had gone to Penticton to see the "riot", but most of them also expressed disapproval at the actions of those who actively participated in the disturbance. Although there was general agreement that police should crack down on offenders, several individuals noted that they were looking forward to a riot at the festival next year.

One or two students felt that a police effort similar to that used in Penticton during the B.C. Day weekend in 1991 would prevent a repeat occurrence in 1992. Most, however, suggested that a "riot" or something like it will occur again. This is partly because there are

troublemakers at the event each year, but also because young people want to "raise a little hell." While there is an unambiguous desire to "raise hell" in someone else's community, most of the young people felt that to cause trouble at home might result in the cancellation of their own festivals. In spite of the perception that the "riot" at Penticton was fun, a few young people did note that public disturbances are bad for the image of their community.

One further issue pertaining to youths was that of the conflicting desires of young people and adults generally. On long weekends in the Okanagan, for example, the beaches, parks and campgrounds may be crowded with young people who are there to carouse, and families may feel somewhat intimidated (especially groups with young children or seniors). The presence of large numbers of rowdy youths is therefore seen by community representatives as detrimental to tourism and to the local residents. Additionally, local businesses in the Okanagan reported that it is the tourist families, not young people, who spend large amounts of money during the peak summer months.

Many individuals felt that youths are frequently ignored at the planning stages of local events, and there is a feeling that youths are generally disenfranchised. There is very often no place for them to gather, and no activities are provided for them although many local festivals purport to be "family" events. Many adults mentioned rowdy "bush" and beach parties, where large groups of young people gather at night to drink and socialize, as sources of community disturbances. Young people, on the other hand, commented that no matter where they gather they are forced to disperse, often resulting in large numbers of youth congregating in fast food and 24-hour store parking lots or in the main streets of town. This in turn disturbs residents and businesses.

Several community representatives qualified their statements about youths being problematic by noting that there is very little for young people to do in their local community, both at festivals and generally. A few noted that their local community is attempting to address this situation. There is a general impression that teenagers do not like activities which have the stamp of approval of any authority; for example, teen dances and drop in centres may initially attract youths but once the novelty wears off, these are abandoned.

Young people reported that they go to places like Penticton and Kelowna, not specifically to attend the events associated with the Peach Festival (or the regatta, in past years), but more generally, to gather and socialize. Many of them felt that the organized events were boring and that there should be a greater variety of activities, especially those geared for young people, such as live bands. Nonetheless, the overall impression was that young people went to Penticton simply to "hang out" with their peers.

There was general consensus that if young people cannot have parties, there should be some alternative. The perception is that, at present, there is no alternative. The point which students wished to make clear was that the young people themselves should be consulted and allowed to choose which activities they want. As one girl noted, "They never ask us."

• **Justice system:** The provincial court system and the criminal justice system were seen as responding too slowly and too leniently in many instances. Issues included the perceived inability or reluctance of the courts to impose deterrent sentences on offenders who take part in public disturbances; the inability of the justice system to deal with such cases expeditiously; and the perception that the *Young Offender's Act* hampers the ability of the justice system to effectively deal with young offenders.

The *Young Offenders Act* (YOA) came under a great deal of criticism for what were seen as major weaknesses. Many people felt that the YOA placed restrictions on the justice system, allowing offenders to feel that they are above the law. They generally felt that the YOA does not hold youths accountable for their behaviour. Although this is an issue which does not fall specifically within the mandate of the task force, it was mentioned frequently and is therefore worth noting. It should also be noted, however, that while the YOA did raise some commentary, in actuality many alleged offenders at public disturbances are past the age limit.

• **Unpaid fines:** Many individuals commented that it is almost impossible for the courts to enforce the payment of fines for liquor violations. This renders the issuance of tickets ineffective. Generally, these comments pertained to the laws relating to public consumption of alcohol, minors in possession of liquor and the transportation of liquor.

Young people are very much aware that there is no enforcement of tickets for liquor and other offences. Only one student (a young woman) admitted to having paid a fine for a liquor infraction, and the reaction among the rest of the class was derisive laughter. The general consensus among the students was that there was no penalty for non-payment of fines and that the only way the police could prevent public and/or underage drinking was to pour out their liquor.

• **Inadequate site control:** Loss of control of the event site was mentioned by several individuals, notably those involved in security, festival planning and policing. Several individuals noted that having an open site (ie. no control over access or entrance) invites trouble. There is no way to check for liquor, anyone can get into the event, and there is no way to enforce the ejection of individuals from the site.

• **Outsiders:** Several sources felt that non-locals or unintended audiences were responsible for much of the trouble at their event. In Kelowna and Penticton, several individuals reported that the "riots" were advertised in washrooms all over the province (although nobody was able to provide evidence that this was so). The Okanagan has a reputation for being a recreation area and attracts young people from all over the province, and from Alberta, all summer long. Tourists also frequent the Okanagan; however, no one felt that tourist families were a problem.

• **Lack of planning:** The so-called "non-event" (for example, the B.C. Day long weekend) was identified as a major problem. Many individuals noted that lack of well-planned activities, combined with locations which tend to attract crowds (such as the Okanagan or Whistler) and mixed with alcohol consumption, creates the potential for serious public disturbance. One individual described this scenario as "a powder keg waiting for a match."

• **Undirected growth:** Many people noted that problems at festivals tend to go hand in hand with unrestrained or undirected growth. Some people indicated that, in their municipality, festivals are deliberately kept at the small, local level. Nonetheless, there were also those who felt that "bigger is better."

• **Police:** Several people (especially young people) felt that a strong police presence may incite disruptive behaviour in youths. Some students reported that the presence of police officers represents a challenge, or, as one young man described it, "... it gives you something to fight for." The use of tactics such as spraying tear gas is seen as provocation. One young man suggested that the police will hassle young people even if they are doing nothing illegal. Others took the opposite view and felt that enforcement should be stricter and the police presence more visible than it is at present.

• **The media:** There is a perception that the media contribute to the problem. Some individuals felt that the media play up negative issues and provoke further disturbances by, in essence, "advertising" disturbances. Many people remarked that this contributes to a snowball effect, whereby a small disturbance one year attracts a larger audience, whose main purpose is to attend the "riot" the next year. It was noted that the local television station in the Okanagan replayed a videotape of the Penticton disturbance every time it was mentioned on the news, for several weeks. This was seen as being highly detrimental to Penticton and to festivals generally.

SUGGESTED SOLUTIONS

• **Family orientation:** Almost unanimously, suggestions indicated that the key to a successful local event is that it be a family-oriented event, with activities for all ages, including teenagers. It was felt that events should attract a local audience. For this reason, several people noted that their community does not want the local festival to get any larger. "Youths-only" activities, like rock concerts, are viewed with some distrust, and several people suggested that teens should be catered to as part of the family rather than on their own. Conversely, several people noted that their community could do more to attract youths to local festivals by including them as volunteers and having activities which they would like. Suggested activities included barbecues, local music groups, crafts and other locally relevant events. Activities such as gambling and beer gardens apparently do not fill family needs and were discouraged.

• **Community ownership:** At the planning level, it was felt that organization of the event should include local people and representatives only, to keep ownership of the event at the community level. Some individuals noted that their events are organized by a festival

committee which networks with community groups, to create truly local events. Often included in this suggestion was the need to involve the police at all levels of festival planning, including having the police screen all liquor license applications and having police train and/or work with security.

It was felt that giving control to organizers or promoters from outside the municipality creates problems. Some people noted that they did not want Music '91 events in their municipality because promoters from Vancouver or the U.S. would not have any understanding of the needs and desires of a particular community and would rather focus the event on revenue generation. Others noted that they do not want their local festivals to get any bigger because they enrich the community in their current form. Because profit-making is not the sole objective of many festivals, larger audiences are not only unnecessary, but undesirable in many instances. It was recognized by representatives from larger municipalities that this approach may not be feasible since their cities encompass multiple communities which may have different or even conflicting views on festivals and festival management.

The use of local volunteers is encouraged in many cases and some respondents noted that local youths contribute to the volunteer force and therefore have a sense of pride in the event.

• **Alcohol consumption:** Beer gardens and activities involving alcohol are generally perceived as problematic. Many people stated that their festivals no longer have beer gardens because of past or potential trouble, although several communities do have beer gardens which do not cause problems. The crucial factors in holding a successful beer garden appear to be that the site should be enclosed, with controlled access; and that adequate security measures are required, preferably professionals. Although some locales use the "local soccer team" for security, this is discouraged by others because of the perceived potential for fights. Another consideration is that there should be a number of smaller beer gardens rather than one big one, to discourage large crowds both within the beer garden and in the surrounding area after the beer garden closes.

Some communities hold dances at which alcohol is served. Although consumption is frequently high, these dances are generally not a problem. The site is enclosed and keeps a large number of people in a controlled area and off the streets.

Many people felt that all types of liquor should be available, although public events under special occasion licenses are currently limited to beer and wine.

• **Activities and crowds:** Some people noted that dispersing events, both temporally and spatially (including having several smaller beer gardens rather than one large one) helped to diffuse the potential of a large, possibly inebriated crowd gathering in one location. Other suggestions included approving all liquor licenses and limiting walking/driving access to certain areas. Several individuals commented that it may be advisable to avoid holding two special events on consecutive weekends because there is the potential for crowds to persist throughout the intervening week.

Several individuals suggested that the hours of sale for liquor outlets (pubs, liquor stores, and beer and wine stores) be varied, although there was no consensus on whether the hours should be extended or curtailed. Some people suggested closing all liquor outlets prior to and during special events. Others felt the by extending the hours of sale and operation, the "closing time" rush would be avoided. Additionally, it was felt by several individuals that if pubs extended their hours to provide food and entertainment after the sale of liquor had ceased, patrons might either "sober up" or become too tired to cause trouble once they had left the bar.

• **Media attention:** Several individuals noted that the media could assist local festivals by actively promoting the positive aspects of local events rather then emphasizing the negative, but possibly more newsworthy, aspects. For example, the perception that the Penticton Peach Festival and the B.C. Day weekend in Penticton are noisy, crowded and packed with young people may well have been enhanced by the media, over the years, creating a self-fulfilling prophecy. Several people suggested that the local media, as members of the community, should act more responsibly.

• **Payment of policing costs:** Many community representatives felt that if a municipality is hosting a planned event, it should be responsible for payment of the cost of policing. Several people indicated that policing of events may include a period prior to and following the actual time of the event.

A number of people distinguished between a planned event and unplanned or unforseen problem situations. Although public disturbances may not be planned events, they may be anticipated. Several individuals noted that in Penticton and Kelowna the signs of impending trouble were obvious for many years. Additionally some Union of B.C. Municipalities members noted that there are municipalities which plan for this kind of pressure in their annual policing budgets as a matter of course. For this reason, many community representatives felt that municipalities have a responsibility to pay for extraordinary policing costs.

The general consensus was that the host municipality should be required to pay for any extraordinary policing costs incurred during the course of a planned local event or because of readily predictable circumstances. Some municipalities took the opposite view and felt that they should be subsidized by the provincial government. Unplanned, unpredictable events, such as natural disasters, are perceived as a different issue.

• **Enforcement of laws:** Many community representatives felt that adopting a policy of strict enforcement of the laws pertaining to liquor consumption and transportation, and local bylaws pertaining to noise, early in, or prior to, the season in question would be an effective preventive measure. Others suggested advance publication of the police enforcement policy, the types of conduct that will not be tolerated and what the consequences for violators will be.

Several individuals added that these measures could be enhanced by publicising the names of offenders (or parents, in the case of young offenders), targeting known troublemakers and keeping them off the streets during public events. Others suggested that the police adopt a policy of searching all incoming vehicles and seizing liquor (and weapons). A few people suggested specially trained "riot" police forces or the use of the military.

• **Police presence:** Many felt that a highly visible police presence lowers the probability of trouble. Nonetheless, a small number of people, particularly youths, felt that this sometimes exacerbates the problem and detracts from the festival. Some high school students felt that police presence during the Penticton disturbance represented a challenge which they could not ignore.

• **Enforcement and penalties:** There were repeated calls for both stricter enforcement of existing laws and for stiffer sentences. Many people stated that the courts are too lenient with offenders; others feel that the police do not have enough power to enforce laws. The most frequently cited example was that of the "unenforceable ticket"; a violation ticket for which the penalty is a fine which the courts have no mechanism to collect at present. Many individuals reported that most recipients of these tickets apparently disregard them, tear them up or "...pin them on their bedroom walls like a trophy." Several people felt that if the young offender refuses to pay a fine, the parents should be held liable. Finally, a number of individuals noted that simply pouring out liquor does not get offenders off the street and, other than the loss of the cost of the alcohol, does not provide a consequence.

Several people called for immediate consequences. There is the impression that court delays often cloud the connection between actions and consequences. Some people suggested having Crown counsel available on a 24-hour basis and on the weekends generally. The use of justices of the peace or provincial court judges was also suggested as a way in which offenders could be dealt with immediately and appropriately.

Many people would like to see those who violate provincial law during festivals arrested and even imprisoned. There is also a strong feeling that these people should be made to make full financial restitution for damages. Only a few people made distinctions between adults and youths, although, as mentioned previously, the *Young Offenders Act* was blamed for many problems.

• **Laws and policies:** Suggestions included adopting more comprehensive liquor laws. Others suggested a penalty for default of liquor and other tickets (possibly jail time); linking tickets to license renewals; open liquor to be carried in the trunk of a vehicle only; impounding vehicles; and supporting the recommended amendments to the *Liquor Act*, made by the Ministry of Labour and Consumer Services (July, 1990) and endorsed by the B.C. Association of Chiefs of Police. These recommended amendments are:

creating a new offence: "illegal possession"

prohibiting transport of open liquor in automobiles

• **Municipal authority:** There were no common views about what municipalities should do. Many council members felt that municipal governments should have broader powers to deal with law enforcement at special events. Other suggested changes to municipal laws or local enforcement practices, such as curtailing hours of operation of all liquor outlets (including pubs) before and during the event; conversely, extending hours of operation to avoid the "closing time rush"; closing all-night stores; issuing more by law tickets; environmental changes, such as limiting or redirecting traffic flow out of certain areas during events; closing beaches after certain hours; conversely, letting people stay on the beaches overnight; allowing beer in cans only during events; and allowing municipalities to keep the money collected through fines and resale of seized liquor to defray policing costs.

• **Security measures:** Many people, particularly those responsible for security or policing, and some festival organizers, noted that, above and beyond policing, adequate security planning is essential. This is better accomplished when an event or part of an event is held within a contained site. A highly visible security presence may be all that is required to deter troublemakers, and it enables the immediate removal of instigators. A few individuals noted that all too frequently this issue is either ignored or the security team assigned to an event is composed of poorly trained volunteers who have no knowledge of crowd control methods and very little ability to deal with potential problems. It was also noted that when security measures are inadequate, policing costs may rise.

• ***Young Offender's Act:*** This was not within the mandate of the task force; nonetheless, the YOA was mentioned often enough to warrant reporting the comments made in the course of the public hearings. Suggestions included lowering the age at which young people may be tried in adult court; allowing publication of names of offenders; and stricter sentences for young offenders. It was recognized by a few people that those individuals who cause trouble and break existing laws may, in fact, be from a slightly older group, and that changing the act would not eliminate public disturbances or rowdy behaviour in general.

SUMMARY

There is a general feeling among those who provided input on the issue of public disorder at special events that there are several major problems. These include:

- high consumption of alcohol, both lawful and unlawful
- the inability or unwillingness of the courts to effectively deal with unlawful behaviour, particularly when dealing with the younger generation
- the general disrespect for law and order
- the ineffectiveness of the violation ticket
- the unfairness in the assessment of policing costs
- the negative impact of media coverage

A wide range of possible solutions was suggested. Some are feasible under existing legislation; some are not. There was general agreement that problems can be controlled when the special event:

- is family oriented
- has a sense of community ownership
- has been planned to reduce or control alcohol consumption
- uses strong and early law enforcement
- is backed by stiff penalties for rowdyism

ADDITIONAL INFORMATION

This section will provide information for the reader who may not have a regular association with government or a knowledge of policies.

GOVERNMENT:

The following section, providing a brief description of the levels of governmental responsibility and authority, is included in order to place the findings of the task force within the appropriate context.

FEDERAL GOVERNMENT:

The federal government possesses the broadest powers to enact criminal law legislation, which is then administered through the provincial court system. Legislation enacted at the federal level includes the *Young Offender's Act*, the Criminal Code and the laws concerning drugs.

PROVINCIAL GOVERNMENT:

In addition to their role in enacting provincial legislation and formulating policy, provincial governments are also charged with the administration and operation of most courts. Within this mandate is the responsibility for determining the number and location of courts and offices of Crown counsel.

Provincially enacted legislation includes the *Motor Vehicle Act* and the *Liquor Control and Licensing Act*. Also under provincial jurisdiction is the *Municipal Act*, which defines the responsibilities and authorities of municipal governments, and the *Police Act*, which governs policing in the province.

MUNICIPAL GOVERNMENT:

Municipalities have some authority over specific permits and licenses which are germane to this report. Municipal governments have the authority to grant or refuse business licenses which are a prerequisite for applying for a liquor license. Municipalities also have authority over special permits for use of city streets and parks for special events. They may also pass by laws to regulate activities such as parking and noise control. This authority may be used by municipalities to limit or, in effect, disallow specific events should the city council feel that there are grounds to do so. They may also work with provincial authorities in limiting some activities that come under provincial jurisdiction, such as hours of liquor sales.

POLICING IN BRITISH COLUMBIA

Provincial and municipal policing responsibilities are covered by the *Police Act* (SBC Chap. 53). By agreement, since 1950, provincial policing has been carried out by the Royal Canadian Mounted Police and on additional agreement a number of municipalities are policed by the RCMP.

TABLE 1
RCMP POLICING - 1991[1]

FORCE	# OF UNITS	AUTH. POLICE STRENGTH
Provincial Force	133	1,504
Municipal Forces	43	2,051

TABLE 2
SELECTED MUNICIPAL RCMP FORCES- 1990

MUNICIPALITY	POLICE STRENGTH AUTHORIZED	POPULATION
Kelowna	81	71,317
Penticton	34	26,156
Nanaimo	81	56,586
White Rock	21	15,615
Quesnel	16	8,258
Williams Lake	23	10,226
Comox	7	7,754

Additionally, 12 municipalities have chosen to have their own municipal police department. These are Victoria, Vancouver, Saanich, Central Saanich, Oak Bay, Esquimalt, Delta, New Westminster, West Vancouver, Port Moody, Matsqui and Nelson.

[1]In 1990, the Provincial Force included 8 municipalities with "extended" contracts: Revelstoke, Coldstream, Fernie, Pitt Meadows, North Saanich, Colwood, Parksville, and Port Hardy. With the exception of Fernie, these municipalities will convert to municipal contracts on April 1, 1992, increasing the number of municipal RCMP forces to 50.

TABLE 3 POLICE AND CIVILIAN STRENGTH IN INDEPENDENT MUNICIPAL FORCES - 1990				
MUNICIPALITY	**POLICE**	**CIVILIANS**	**TOTAL**	**POPULATION**
Vancouver	1,048	233	1,281	466,305
Victoria	160	42	202	70,077
Saanich	124	33	157	94,952
Central Saanich	17	6	23	13,659
Esquimalt	26	5	31	17,416
Oak Bay	23	4	27	18,451
Delta	123	29	152	86,393
Matsqui	82	31	113	65,030
New Westminster	103	27	130	44,107
West Vancouver	74	17	91	41,346
Nelson	15	4	19	8,718
Port Moody	29	10	39	17,185
TOTALS	**1,824**	**441**	**2,265**	**943,639**

Section 15 of the *Police Act* states that municipalities with a population of more than 5,000 must provide an adequate police service. This may be done either with their own force or by agreement with the province for the services of the RCMP. Some financial assistance in the form of an equalization grant is provided by the province to municipalities that have their own force.

RCMP agreements differ according to the population of the individual municipality. Municipalities with a population of less than 5,000 are policed by provincial strength with no direct charge back to the municipality. Those with a population of 5,000 to 15,000 are policed under agreement with 70 per cent of the costs being assessed to the municipality. Populations greater than 15,000 are policed under agreement with 90 per cent of costs being assessed to the municipality.

Although police services provided by the RCMP under agreements are divided into clear components for financial purposes, the actual organizational arrangements and office locations are frequently combined in a fashion that has municipal and rural components working as a single unit. This leads to a misperception by many people as to the number of officers that they are supporting. Additionally, many of the communities in the "under 5,000" category are under the impression that the local RCMP detachment is responsible only for local policing. This leads to the displeasure that many people expressed regarding the reallocation of "their" officers to problem areas.

ECONOMIC AND SOCIAL CLIMATE

• **Economy:** Much of British Columbia's economy is based on natural resources. These industries rely to a large extent on seasonal peaks, with a resultant transient population of workers. Temporary residents place an increased load on local services as well as providing a boost to the local economy.

• **Tourism:** Tourism in British Columbia is a significant contributor to the provincial economy. It is estimated that non-resident (ie. not residing in the province of B.C.) tourists accounted for 3.1 million visitors and $2.4 billion in expenditures in 1989[2].

The Okanagan, because of its climate and location, has for decades been widely known as a party destination among people in the 15 to 25 year age group. Young visitors to the Okanagan are largely from within the province, but Alberta residents are also attracted in significant numbers.

[2] Visitor '89 ... A Travel Survey of Visitors to British Columbia; Prepared for Industry, Science and Technology Canada, Ministry of Tourism, and Ministry of Regional and Economic Development etc. ... Ch. 1

• **Alcohol consumption:** Alcohol consumption is a factor in disturbances at public events. Statistics indicate that 83 per cent of the population over 15 years old currently drink.This is the highest rate among the provinces in Canada (the average is 78 per cent nationally). The per capita consumption of alcohol in B.C. is the highest of any province[3].

Alcohol consumption is somewhat higher for males than females in all age groups, and decreases with age. In the age group 20-24 years, 93 per cent of males drink, and drinks consumed average 6.1 per week, the highest of any age group. Among young males aged 15 to 19 years, 76 per cent currently drink, although the amount consumed per week is considerably lower (3.1 drinks per week[4]). The 15 to 24 year olds form the group which is consistently identified in public disturbances at festivals. Many are under the legal drinking age in British Columbia. Although it is difficult to gauge the exact extent to which drunkenness, as opposed to consumption per se, plays a role in public disturbances, many individuals identified alcohol consumption, or the behaviours caused by consumption, as a problem.

CHARACTERISTICS OF SPECIAL EVENTS

Number of Events

Information provided by the Ministry of Tourism[5] indicates that there are over 2,000 local festivals and events annually in British Columbia.

Events range in size from one day village fairs and sporting events to very large and well-publicized three- and four-day festivals. These numbers include events which do not properly fall within the description of a festival or local event; for example, some are short-run theatre events and art shows. The vast majority, however, quite clearly do fit into the categories of festival or "community event."

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[3] Statistics Canada 63-202. The control and sale of alcoholic beverages in Canada.

[4] Health and Welfare Canada (1990). National Alcohol and Other Drugs Survey (1989): Highlights Report; Marc Eliany, Dr. Norman Giesbrecht, Dr. Mike Nelson, Dr. Barry Wellman and Scot Wortley (eds.); Minister of Supply and Services Canada, Ottawa, 1990.

[5] (British Columbia Product Guide: Spring/Summer Calendar of Events 1991 and Fall/Winter Calendar of Events 1991/1992).

Types of Event

In general, there are three major categories of local events or festivals. The first category can be described as a very small event, such as local sporting meets, crafts shows and other events which typically attract a very localized audience. The second type is similar to the first category, but tends to attract a wider, regional audience.

The third type is an event which draws an audience from across the province, the country, or is international in scope. Events in this third category tend to be located in or near larger centres such as Victoria, Vancouver or Nanaimo.

The types of attraction covered under the term "community event" are virtually limitless. The Ministry of Tourism calendar shows events which include hockey tournaments, Halloween dances, ski racing, annual flea markets and fund raising fairs, concerts by big-name attractions, trade fairs and major international festivals. For the purposes of this report, we take the broadest possible interpretation of what constitutes a "community festival" or "community event."

Table 4 shows the range of festivals in the Okanagan-Similkameen region for August. Most of these events are very small, local events. Some, however, are quite large; the Ironman Canada Triathlon, for example, is a national event.

TABLE 4 EVENTS IN OKANAGAN-SIMILKAMEEN - AUGUST 1991[6]			
Municipality	**Name of Event**	**Municipality**	**Name of Event**
Midway	Mixed Ball Tournament	Vernon	Old Time Threshing Bee
Lumby	Lumby High School Reunion	Kelowna	Little Apple Mini Triathlon
Kelowna	"Play 3" Sunshine Theatre	Kelowna	"Play 4" Sunshine Theatre
Armstrong	Big Cheese Country Jamboree	Osoyoos	Music '91 Street Dancers
Penticton	August Long Weekend Dances	Armstrong	Heritage Classic Horse Show
Armstrong	"Mystery Cycle" Theatre	Bridesville	Bridesville Horse Show
Tulameen	Tulameen Daze	Osoyoos	Midsummer Bonspiel
Summerland	Summerland's Uptown Centre	Kelowna	Apple Triathlon
Vernon	Sen'Klip Theatre	Penticton	Country Family Fair
Vernon	Vernon Racing Days	Penticton	Artist & Athletic Event
Penticton	BC Square Dance Jamboree	Penticton	Ironman Canada Triathlon
Osoyoos	Kobau Star Gazing	Penticton	Ironman Race Day
Armstrong	Kinsmen Pro Rodeo	Oliver	Oliver Portuguese Soccer
Osoyoos	Osoyoos Summer Curling	Princeton	Peter Pine Daze

Purpose of Event

There are several reasons given by local representatives and festival organizers for holding a public event. They are:

- to provide a social interaction among local residents
- to raise support funds for a non-profit organization
- to promote the economy of a community
- to promote regional, provincial, national or international tourism in the area
- to raise the profile of a product or type of product as in trade shows and special exhibitions

[6] Spring/Summer Calendar of Events; British Columbia Product Guide, Ministry of Tourism, 1991.

Local Events

• **Organization:** These events are community based and locally initiated. The type of attraction at these events tends towards sporting events, craft shows, rodeos, music festivals and intergenerational activities. They are pertinent to local residents and the immediate surrounding area. The event is little advertised and usually attracts few outside visitors, although they may be attended by tourists travelling through the area.

The event is locally run, usually by a committee of local residents, possibly including members of the local council. The festival organizers may be required to submit their plans to the local council for general approval (eg. for permission to use city property). Applications for special liquor licenses must be approved by the police and the appropriate Liquor Control and Licensing Branch representative.

• **Purpose:** These events are held primarily to provide entertainment but also to derive some profit; they may be self-supporting and any profit is generally used for local charities or services. The emphasis is on "family fun" and community involvement.

• **Security:** Security is often delegated to a group of local volunteers, which may include seniors and/or youths. Some communities did mention that they rely on the local soccer or football club. One community reported using local cowboys to handle security. The impression is that security measures at these events are generally preventive and incidents requiring action are minor and easily resolved. Because the audience is a local one, potential troublemakers are easily identifiable and can be dealt with effectively.

• **Policing:** Local police reported that they generally provide traffic control and additional security measures when necessary. In some cases, they work with the aid of auxiliary/ reserve forces.

• **Benefits:** These events are held to emphasize a feeling of "community spirit" and "community involvement" rather than to make large amounts of money. The family is the intended audience. Local residents are involved on a voluntary basis in planning, managing and operating the event.

Regional Events

• **Organization:** Regional festivals include events similar in many ways to those held at the more local level, but they attract a wider audience from the surrounding area. There may be some influx of tourists from more distant locales, although it is likely that these attend at the festival because they happen to be passing through.

Events of this type, like the smaller event, are locally planned and managed, with a cadre of volunteers to run the festival. Once again, there is a local festival organization or society which will apply to local council and police for approval of the plans; special liquor licenses must be obtained through the usual channels.

An example of a regional event is Quesnel's Billy Barker Days Festival, a three-day affair which offers numerous activities relating to the "gold rush" theme. As do local festivals, it bills itself as a family event, and the attractions reflect that audience. Activities include horseback rides, sidewalk sales, sporting events and local rock or country music bands.

• **Purpose:** Festivals of this type are held to benefit the area financially as well as to promote or reinforce community identity. The benefit is seen as increased revenues through the larger audience attracted to the festival, for local businesses and for the municipality as a whole. Although Billy Barker Days is geared towards family entertainment, businesses in Quesnel profit from the festival.

• **Security:** Local citizens have control of the festival site; this discourages rowdy behaviour, and security is adequately handled by volunteers.

• **Policing:** There is an increased need for policing because of the crowds but this can usually be handled by the local police with some internal scheduling adjustments.

Provincial, National and International Events

• **Organization:** This type of event has a much broader intended audience than local and regional festivals. Many such events are profit-oriented and are held in larger centres. They may attract huge audiences and require a large accommodation and facilities base.

Events in this category include trade shows, major rock and other concerts, and "theme" events, such as the Abbotsford Air Show and the Indy 500. Such events are highly structured and usually require professional management. Several of the large festivals that reported to the task force have permanent or part-time staff who plan the events and maintain liaison with councils, police and engineering departments on a regular basis.

• **Purpose:** These events are generally profit-oriented. The type of entertainment is specific, to attract a particular audience. Not only are there direct profits but local tourism may be boosted. This type of event is most frequently professionally organized and a portion of the profits are used to finance the organization's infrastructure.

• **Security:** These events are normally held in a closed venue and professional private security is provided by the organizers. This security maintains internal control only. Potential troublemakers are often refused admission or are subsequently ejected. In some instances, internal security is augmented by local police at the organizers' expense.

• **Policing:** Extra policing is required around the perimeter and for traffic control. In some municipalities, particularly those with their own police force, cost of extra policing is charged back to the organizer.

Non-Events

Some communities raised issues about events which do not fit into the categories listed above and are technically not "events" at all. Lake Cowichan and the Columbia Shuswap Regional District, for example, commented on the use of forestry or provincial campsites for large and sometimes unruly parties. Several local representatives referred to "bush parties" and "beach parties." Provincial holidays and long weekends also elicited considerable commentary. Although these issues are outside the mandate of this task force, they are nonetheless worthy of note as issues which should be addressed. Some of the findings and recommendations in the report may have some application to these issues.

FINDINGS

1. There are over two thousand festivals a year in British Columbia, the vast majority of which are peaceful. Major public disturbances of the type that occurred at Penticton's Peach Festival, Kelowna's Regatta and White Rock's Sandcastle Competition are rare. For example, Penticton hosted at least 23 festivals and events and only one involved serious disorder.

EVENTS IN PENTICTON - 1991[7]	
Penticton Mid-winter Breakout (Feb.)	Artist & Athletic Event '91 (August)
Royalty Tea and Fashion Show (March)	Ironman Canada Triathlon (August)
Theos Art Auction (June)	Ironman Race Day (August)
Handemonium (June)	Music '91, Ray Charles (September)
Peach Festival (July)	Okanagan Wine Festival (October)
Peach Festival Dances (July)	Consumer Tasting (October)
Penticton Air Show (July)	Oktoberfest (October)
Music '91 Roadshow (July)	Spooktacular (October)
Music '91 Mitzi Gaynor & Roadshow Weekend	Christmas Gift Show/Sale (November)
August Long Weekend Dances (August)	Christmas Craft Capers (November)
BC Square Dance Jamboree (August)	Christmas Light Up (December)
Country Family Fair (August)	

2. Concerns about possible future problems at special events are fairly widespread. Although actual disturbances of a major variety are rare, the concern is not. This concern has a negative impact on some festivals.

3. There is a general lack of knowledge about the various levels of governmental responsibility. This frequently results in confusion as to where responsibility lies. For example:

[7] Calendar of Events. British Columbia Product Guide, Ministry of Development, Trade and Tourism.

- The *Young Offender's Act*, which is seen as a major contributor to problems, is frequently perceived incorrectly as being the responsibility of the provincial government.
- Municipal councils were frequently unaware of available avenues through provincial ministries to regulate certain activities, such as hours of liquor sales.
- There is a lack of understanding about how the criminal justice system works, in particular the individual roles of the police, Crown counsel and the judiciary.
- Insufficient information about how the RCMP are funded often led to misconceptions about the reallocation of police officers.

4. Some communities successfully use their own approaches to reduce the risk of problems; however, this information as to what works is localized and no mechanism exists to consolidate it and make it widely available. Such information is a potentially valuable resource which may help prevent problems in other communities. There are no simple answers to reducing problems and concerns. What works in one community may not work in another, but transferring specific information on problems and solutions would reduce the likelihood that unsatisfactory solutions would be repeated.

5. Municipalities with their own police forces pay 100 per cent of the extra costs of policing festivals, although some of these costs may be charged back to the festival organizer. On the other hand, municipalities which are under agreement with the RCMP often receive extra resources from the provincial component at a very minimal cost. This produces an inequity between municipalities, and a reduction in local service to areas from which the additional police resources are taken.

6. The effects of festivals occasionally spill over from one jurisdiction to another, resulting in extraordinary policing costs for municipalities which have had no input into the planning of, and may derive no benefit from, the event.

7. The RCMP accounting system and the policy of rescheduling on-duty resources makes it virtually impossible to determine the real cost of extra policing at those events which experience disturbances. Although the current system may effectively reduce the total provincial cost of policing, it does produce a conflict between communities.

8. Major problems at festivals are associated with alcohol consumption. It is not likely that the problems relating to consumption at festivals will ever be completely eliminated; however, present legislation does not provide the mechanisms for the police to cope with the problem of unlawful consumption with any effectiveness.

9. Current legislation that renders the violation ticket virtually unenforceable leads to a number of problems:

   - Police issuance of the ticket has little deterrent effect.
   - For many, the lack of enforceability of the ticket creates a general lack of respect for the law.
   - Receiving tickets is considered a status symbol by some individuals and thus may contribute to unlawful behaviour.
   - The ineffectiveness of the ticket often leads to police adopting a policy of "stop and pour" as the only alternative.
   - British Columbia is unable to collect a sizeable proportion of the fines that have been levied.

10. Public disorder at festivals may be only a symptom of a much wider problem. The public in both urban and rural areas expressed serious concerns about beach parties, pit parties and house parties which may attract as many as 100 to 500 young people. This appears to be a problem which is not confined to British Columbia, although the problem in this province may be greater than average because of net in-migration, the flourishing tourist trade and the high proportion of people aged 15 to 25.

11. There are several characteristics of festivals that may increase the possibility of public disturbances that are not within the control of the community holding the special event. These characteristics include the following:

- Festivals and special events in areas with good seasonal climates and high scenic value, with large populations or with access to large populations easily attract large audiences, including many residents from other areas. These audiences may, if many youths are attracted, cause local problems.

- Festivals or special events in regions with high numbers of transient workers have more potential problems. Transient workers tend to have less commitment to local community interests.

- Festivals or special events on or near holidays traditionally associated with drinking, such as New Year's Eve or long weekends, are more likely to be attended by people who will consume large amounts of alcohol and people who consume alcohol in public.

- The past history of an event may attract selected audiences. A history as "a good family event" reduces the probability that troublemakers will attend. When the history includes problems, those who want trouble are more likely to be attracted.

12. There is a broad range of characteristics which is within the control of the community holding the event. These include the following:

- Problems tend to increase when the purpose of the event is lost. A special event may be local, regional or national/international in scope. What must be done to plan a local event is very different from what is necessary for a regional or national one. When the purpose is lost, it is more difficult to identify a theme and include appropriate activities. This is particularly a problem when a local event grows in size to become a regional event, but still only includes activities designed for local residents.

- When the actual audience attracted is overwhelmingly young people and the crowds are large there is a greater likelihood of public disorder or an appearance of disorder that frightens away families with young children and the elderly.

- Problems increase when the number and size of legal public drinking areas (beer gardens) grow. Several small beer gardens at diverse locations are less problematic than one large beer garden. Despite the repeated problem with beer gardens, some special events continue to include them because they are the source of income necessary to run the operation of the festival the next year or to cover expenses in the current year.

- There are special events where dances are held that serve alcoholic beverages. These can serve a useful purpose by restricting a large proportion of the consuming public in a closed, controlled venue. Alcohol consumption is associated with problems but cannot be eliminated. It is best if it can be controlled.

- Difficulties seem to increase when the media focus on past problems and, in essence, advertise them. This attracts "thrill seekers" and discourages more desirable audiences.

- The chance of difficulties increase when large groups are attracted before the special event begins or after it ends and policing or security plans are not extended to include this expanded duration of the event.

- A special event is more likely to experience problems or to engender feelings of apprehension if it does not include activities designed to entertain all segments of its audience. Cruising in cars and crowds walking around are enjoyable for some people but, when combined with excessive alcohol consumption, may increase the potential for a major disturbance.

- Concern or fear increases when crowds persist into the night and spill over into residential areas or become noisy in public areas. The conflict between residents and non-residents is not limited to festivals or special events. It also occurs near cabarets, corner stores and during house parties. The advantage at festivals is that activities can be planned to reduce this conflict.

- Reduction of conflict is not accomplished by forcing people to move without creating attractions for them. Forcing a group to leave a problem area may produce a more serious problems.

- There is a useful role for volunteers in providing security at public events. This varies with the size and theme of the particular activity and may call for strength (for example, using the local rugby club) or a softer approach (using seniors or young people). These volunteers should be tailored to suit the particular activity.

- Special events run higher risks when they are attended by many young people and there appear to be few police available for the maintenance of general public order. This is particularly important when a special event has a history of public disorder and a segment of the crowd may be looking to cause trouble. A lack of police visibility at such times may be a contributing factor to any ensuing disturbance.

- Festivals and special events may have an increased potential for problems when local residents (of all ages), business owners, schools and government officials view themselves as a passive audience rather than taking responsibility for the event.

- Although communities should plan to reduce the risks of disturbances, there is always the possibility that some unanticipated occurrence will trigger a major problem, and contingency plans for such exigencies must be in place.

RECOMMENDATIONS

The task force has seven recommendations. These include the identification of changes necessary at the provincial level to reduce the probability of serious public disturbances at festivals and special events, and what are seen as necessary changes as to who pays the costs for policing at these events. The task force has also identified a number of steps that should be taken in local jurisdictions to address the concerns that many people have raised and to reduce the likelihood of public disorder.

THE TASK FORCE RECOMMENDS THAT THE PROVINCE OF BRITISH COLUMBIA:

- **MODIFY THE *LIQUOR CONTROL AND LICENSING ACT* TO CLEARLY IDENTIFY THOSE CIRCUMSTANCES UNDER WHICH POSSESSION AND TRANSPORTATION OF ALCOHOL IS LAWFUL AND WHEN IT IS NOT, AND TO PROVIDE PENALTIES FOR UNLAWFUL POSSESSION**

Rationale: Current problems are strongly tied to the behaviour of youths who have consumed large amounts of alcohol both publicly and in private. The high level of consumption is frequently technically unlawful but non-enforceable. The task force recommends that the attorney general introduce amendments to the *Liquor Control and Licensing Act* and the *Offence Act* to better control public consumption. The task force does not assert that modifications to legislation will ensure a reduction in public consumption and public disorder at special events, but it is unlikely that a reduction in problems at festivals will occur without some form of legislative modification.

- Present legislation only prohibits alcohol possession for those persons under than age of 19. Those over 19 years of age are frequently the ones causing the problem and the only legislation applicable is that of Consuming in Public. Consumption of alcohol in public is unlawful but is very difficult to prove. The provisions for seizure are often used as an alternative but do not create a prohibition for what is seen as a major factor in disorderly behaviour.

- **MODIFY THE *OFFENCE ACT* TO INCREASE THE ENFORCEMENT CAPACITY OF THE VIOLATION TICKET USED TO ENFORCE THE *LIQUOR CONTROL AND LICENSING ACT***

Rationale: Currently these tickets require the payment of a fine;however, non-payment has no effective consequence. The amount owed is entered into the provincial courts accounts receivable. At present, British Columbia does not enter into the civil actions necessary to collect unpaid fines. Each fine is small, and the cost of taking action to collect the amount exceeds the fine itself.

Interviews with the police and students indicate that many people ignore the tickets and some even collect them as symbols of beating the system. Suggestions as to how the *Offence Act* may be modified are:

- A required appearance in court when fines are not paid on time. As well as to dispute the ticket, persons could appear because of inability to pay a fine. In such cases alternatives to the fine could be imposed, such as probation or community work. Incarceration for failure to pay the fines is not supported, but when a person neither pays nor appears in court, that person fits into a small category of people who wilfully ignore the law. In these instances, warrants should be issued with the ultimate possibility of incarceration.

- Alternatively, should legislation relating to driver's licenses and vehicle registration be modified, the task force recommends that payment of such violation tickets be linked to renewal of driver's licenses and/or vehicle registration. This alternative uses licensing regulations in their broadest sense. British Columbia may attach conditions to licenses. Such an approach would only work if licensing was modified to shorter terms.

- An incentive for people to pay fines could be created by increasing the amount of the fine if it is not paid within the specified time. If the increase was enough, the larger unpaid fine could be worth the cost of civil action to collect it.

- For all alternatives, the task force recognizes that changes have inherent cost implications. The purpose of these changes is not to collect money but to alter behaviour.

- The task force also recognizes that such changes would extend beyond influencing special events. The broad potential impact should be explored.

- **ENSURE THAT TOTAL COSTS OF POLICING FOR SPECIAL EVENTS ARE BORNE BY THE MUNICIPALITY HOLDING THE EVENT**

Rationale: The current RCMP federal/provincial agreement is structured so that a jurisdiction may hold a festival or public event and only be required to pay part of the policing costs. The structure of provincial policing by the RCMP, quite reasonably, from a cost minimization perspective, facilitates the transfer of police from one area to another to respond to public order problems. There are additional ways to reduce the risk of public disorder and these require a total community effort.

A 100 per cent payment structure for policing events would encourage communities to use effective planning to avoid problems rather than relying on extra policing, which may result in loss of service in other municipalities.

- If the RCMP agreement is altered to provide 100 per cent payment of police costs under specified circumstances, other factors should be considered, such as:

    - Transfer of costs to British Columbia if the event is provincial or to Canada if the event is federal or international and it is not promoted by the municipality in which it occurs.

- Such modifications in payment structure may require changes to accounting systems and the development of some relatively standard method of estimating costs.

- This recommendation is not intended to affect the current responsibility for police costs related to unpredictable problem situations.

- The resale of liquor should not be used to subsidize the extraordinary costs of holding an event. There are potential health risks that cannot be ignored. There is the risk that liquor may have been tampered with prior to seizure. Sales of seized liquor also convert control measures into a profit making situation. The manufacturers of alcoholic beverages may also reasonably object if resold beer or wine is tainted or has deteriorated in quality. The normal health and quality controls are not necessarily followed when liquor is seized.

- **COLLECT, CONSOLIDATE AND DISSEMINATE THE KNOWLEDGE NECESSARY TO EFFECTIVELY REDUCE PUBLIC ORDER PROBLEMS**

Rationale: Knowledge about crowd management is limited. There are many strong beliefs about simplistic solutions to complex problems. At the same time, there are some professional organizations, both within and outside policing, with a great deal of knowledge.

- There are no simple "how to" approaches that will always work. The site and situations vary; what works in one local community might cause problems in another. Some communities are at high risk; others are not.

- British Columbia, through the Ministry of the Attorney General should develop, consolidate, update and assess a knowledge base of approaches to reduce problems of public disorder. This information should be distributed to all jurisdictions. Assistance should also be provided in planning events.

- The development of an accessible knowledge base has associated costs. The task force finds the need for such information strong enough that should the costs be beyond British Columbia's current means, British Columbia should increase the provincial liquor tax marginally for several summer months to fund such a resource centre. This additional tax may not be necessary if the recommendation regarding the collection of outstanding fines is acted upon.

THAT LOCAL JURISDICTIONS.:

- **DEVELOP FORMAL MECHANISMS FOR APPROVING FESTIVALS AND SPECIAL EVENTS TO ENSURE THAT APPROPRIATE PLANNING IS IN PLACE AND THAT THE COSTS OF PUBLIC ORDER MAINTENANCE HAVE BEEN ADEQUATELY COVERED**

Rationale: For those jurisdictions who do not currently have a formal approval process, or those who need to update their procedures, the findings provide a general outline of a number of common risk factors. Using the resource centre's knowledge base, communities should develop procedures to reduce the probability of problems and ways for estimating costs.

- **DEVELOP THE ABILITY TO TRANSFER ALL OR PART OF EXTRAORDINARY POLICE COSTS TO THE ASSOCIATION OR ORGANIZATION HOLDING THE EVENT, UNDER CERTAIN CIRCUMSTANCES**

Rationale: A community may decide to subsidize a new association or organization or provide ongoing support for festivals which are unable to pay the necessary costs or serve a total community need. It is recommended that those organizing events that are profit-oriented should be responsible for costs

THAT THE PROVINCE OF BRITISH COLUMBIA:

- **BEGIN THE ACTIVE RESEARCH, LEGAL REVIEW AND PROGRAM DEVELOPMENT NECESSARY TO EXAMINE WAYS TO REDUCE THE GROWING PROBLEM OF LARGE DISORDERLY GATHERINGS OF YOUNG PEOPLE**

Rationale: This final recommendation goes beyond the mandate of the task force. The issue arose frequently, however, and as a related issue, it must be addressed. There is a problem with young people gathering in large groups to drink and generally carouse. Bush, pit,

beach and house parties with 100 to 500 participants are common throughout the province. Disturbances at public events may only be the "tip of the iceberg." Young people are experiencing the benefits of a better economy and consequently have more free time, money and mobility. These and other factors have provided them with the ability to congregate in large numbers and create big drinking parties in a variety of areas and locations. There are serious safety and other implications.

APPENDIX A

ADDITIONAL SOURCES

ADDITIONAL SOURCES

1. *National Alcohol and Other Drugs Survey*. Ottawa: Health and Welfare Canada, 1990.

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APPENDIX B

VERBAL SUBMISSIONS

VERBAL SUBMISSIONS

POLICE OFFICERS

B.C. Association of Chiefs

MUNICIPAL POLICE

Chief D. Richardson; Victoria Police Department
Chief Constable B. Marshall; Vancouver Police Department
Chief Constable P. Wilson; Delta Police Department
Chief Constable B. Daniel; Matsqui Police Service
Deputy Chief Constable M. Farren; Vancouver Police Department
Supt. J. Lane; Victoria Police Department

RCMP

Deputy Commissioner D. Farrell, CO, "E" Division
Asst. Commissioner F. Palmer; OIC Operations, "E" Division
Chief Supt. P. Cummins; OIC, Contract Policing, "E" Division
Supt. J. Potts; OC Kelowna Subdivision
Supt. D. Cowley; OC Vancouver Subdivision
Supt. D. Roseberry; OIC Kelowna Detachment
Supt. W. Ring; "E" Division
Supt. W. Drake; (Retired) OIC, Kelowna Detachment
Supt. G. George; (Retired) OIC, Kelowna Detachment
Supt. B. Blatchford; (Retired) OC Kelowna Subdivision
Insp. J. Henley; "E" Division
Insp. T. Thompsett; OIC, Penticton Detachment
Insp. A. Murray; OIC Fort St. John Detachment
Insp. T. Smith; OIC Vernon Detachment
Insp. R. Smith; Operations Officer, Kelowna Detachment
Staff Sgt. G. Reed; "E" Division
Staff Sgt. K. Pearson; NCO Salmon Arm Detachment

Staff Sgt. D. Johnson; Kelowna Subdivision
Staff Sgt. R. Bouck; NCO I/C, Quesnel Detachment
Staff Sgt. J. Sherstone; Surrey Detachment
Staff Sgt. R. Eldridge; "E" Division
Staff Sgt. J. Nimchuk; NCO I/C White Rock Detachment
Staff Sgt. P. Seigfried; Operations Nanaimo Detachment
Staff Sgt. J. Wilson; NCO IC, Sidney Detachment
Staff Sgt. R. Madrigga; I/C Williams Lake Detachment
Acting Staff Sgt. Sgt. R. Paquette; I/C Williams Lake Detachment
Sgt. R. Merchant, NCO I/C Lake Cowichan Detachment
Sgt. J. Dorsey; Dawson Creek Detachment
Sgt. R. Monroe; Fort St. John Detachment
Sgt. W. Ulinder; NCO I/C Chase Detachment
Cpl. P. Lawrence; "E" Division
Cpl. J. Drysdale; Port Hardy Detachment

MUNICIPAL GOVERNMENTS

Members of the Union of B.C. Municipalities Executive
Mayor J. Kimberley; Penticton
Mayor J. Ogilvie; Kimberley
Mayor Huddlestan; Port Hardy
Mayor B. Moncrief; Cumberland
Mayor G. Hogg; White Rock
Mayor E. Darling and Council Members; Lake Cowichan
Mayor J.Leach; Nanaimo
Mayor W. Cobb; Williams Lake
Mayor S. Wallace and Members of Council; Quesnel
Alderman J. Pryndik; Fort St. John
Alderman I. Bonell; Williams Lake
Alderman B. Parnham; Port Hardy
Alderman McLennan; Port Hardy
Alderman J. Cameron; Port Hardy
Alderman K. Robinson; Penticton
Alderman J. Weisbeck, Kelowna
Alderman Stokes; Port Hardy

Alderman R. Almas; Kimberley
Alderman D. Rispin, Nanaimo
Mr. B. Knutson; Chairman, Regional District of Peace River
G. Abbott; Chairman, Columbia Shuswap Regional District Board
Director S. Nielsen; Electoral Area 'F'
Director D. Rogers; Mayor of Salmon Arm
Director Jarvis; Regional District of Peace River
Director Hannam; Regional District of Peace River
Director C. Tearoe, Electoral Area 'C'
Director Thorkalson; Regional District of Peace River
Director Guelly; Regional District of Peace River
Director F. Demmon; Mayor of Golden
Director Waldie; Regional District of Peace River
Director G. Battersby; Mayor of Revelstoke
Director Goodings; Regional District of Peace River
Director Fergus; Regional District of North Okanagan
Director Tribes; Regional District of North Okanagan
Director Hornby; Regional District of North Okanagan
Director Shipmaker; Regional District of North Okanagan
Mr. D. McComb; Manager, Community Programs, Richmond
Mr. M. Brow; Director, Dept. of Parks and Leisure Services, Richmond
Mr. J. Berry; Municipal Manager, Nanaimo
Mr. L. von Fersen; Cultural Planner, Social Planning Department, Vancouver
Ms. P. Belaire; Administrator, Port Hardy

PROVINCIAL GOVERNMENT

Mr. D. Morrison; Crown Counsel, Victoria
Mr. V. Frolich; Crown Counsel, Penticton
Mr. W. Stewart; Assistant Deputy Minister, Attorney General
Mr. E. Owsianski; Deputy General Manager of Enforcement, LCLB
Mr. W. Cross; Area Manager, Liquor Distribution Branch
Mr. M. Voynovitch; LCLB, Kelowna
Mr. P. Burleigh; Acting Supt., Motor Vehicle Branch

FESTIVALS/FESTIVAL ASSOCIATIONS

Ms. J. Anderson; Chairman, Vancouver Sea Festival Society
Ms. M. McIsaac; Multifest, East Richmond Community Association
Mr. J. Warman, Past President, Penticton Peach Festival Association
Mr. P. Mercs; President, Paul Mercs Entertainment Consultants Inc.
Mr. T. Barr; Past President, Stampede Association , Williams Lake
Mr. G. McCreedy; Executive Director, Associated Festivals of B.C.
Mr. A. Christopherson; Bluegrass Festival
Mr. B. Freestone; (past) Associate Producer, First Night Vancouver
Mr. N. Crook; Past Alderman, Chairman of FILOMI Days Festival, Port Hardy
Mr. B. Palmer; Chairman, Airshow Society '92
Mr. J. Matthews; President, Billy Barker Days Festival

BUSINESSES/BUSINESS ASSOCIATIONS

Ms. L. Coleman, Manager, Downtown Business Association, Kelowna
Mr. R. Love; President, Penticton Chamber of Commerce
Mr. G. Kristianson; President, Brewer's Association of B.C.
Mr. P. Johnson; Kelowna Chamber of Commerce
Ms. J. Mason; Kelowna Chamber of Commerce
Mr. D. Jensen; Assistant Manager, Lodge Hotel, Kelowna
Mr. M. Reid, Intrepid Security
Mr. G. Johnson; Intrepid Security

OTHERS

Students of Kelowna Secondary School
Mr. Z. Fleming; School of Criminology, Simon Fraser University
Ms. R. Lucier, Penticton
Students of Penticton Secondary School

APPENDIX C

WRITTEN SUBMISSIONS

WRITTEN SUBMISSIONS

MUNICIPAL GOVERNMENTS

Columbia Shuswap Board of Directors; Brief
Alderman D. Rispin; City of Nanaimo
City of Kelowna; Brief
Mr. A.T. Harrison, Administrator; Regional District of Central Okanagan
Mayor G. Hogg; City of White Rock
Corporation of the District of North Cowichan
Mr. D. Fleming, Administrator; District of Logen Lake
Mayor D. Kandal; Matsqui
Mayor J. Les; District of Chilliwack
Ms. P. Connor, Chairman; Sunshine Coast Regional District
Mayor G. Fortune; Village of Telkwa
Mayor S. Henry; Pemberton
Mr. W. Pledger Transit Engineer; City of Vancouver

BUSINESSES, ASSOCIATIONS AND COMMITTEES

Kelowna Chamber of Commerce; Presentation
Kelowna Downtown Business Association
Kelowna Pride Committee
Penticton Chamber of Commerce
British Columbia Chamber of Commerce
Mr. M. Carter, Manager; Alberni Harbour Quay
Willis-Harding Insurance Agencies Ltd.; Kelowna
Marine Drive Waterfront Committee; White Rock
Mr. D. Lemieux, Manager, Insurance Crime Prevention Bureau

INDIVIDUALS

Dr. M. Cooper (Psychiatrist); Penticton Riot: Psychological Perspective
Mrs. R. Floyd; Penticton
Mr. J. Murray; Penticton
Mr. D. Tod; Penticton
Ms. J. Millen, Penticton

APPENDIX D

CITY OF PENTICTON - "FIRM BUT FAIR"

"FIRM BUT FAIR"

City of Penticton Submission
to the Provincial Task Force
on Public Order, Ministry of
Solicitor General

Mayor J. Kimberley
October 24, 1991

A. INTRODUCTION

On behalf of the Mayor and Council and the citizens of Penticton, I would like to welcome the Task Force on Public Order to our City and thank you for visiting us and listening to our concerns and suggestions.

Penticton subscribes to a "firm but fair" approach to law and order. To emphasize this point, our brief will touch on the background and nature of our crowd management problem and offer both preventative and remedial measures to handle severe summer overcrowding.

B. BACKGROUND

Historically, Penticton has accepted overcrowding during the summer, given our warm climate, attractive beaches and important visitor industry. After Kelowna cancelled it's Regatta in 1988, young people turned to Penticton and our city coped with a doubling and tripling of population during the B.C. Day weekend. The City moved Peach Festival off the long weekend to reduce overcrowding and it supported a law enforcement strategy favouring tolerance, given that our young visitors far outnumbered available police.

Responding to community pressure, the City struck a local task force in 1989 to examine long weekend problems; and, after a near riot in 1990, Council adopted a ten point B.C.

Day weekend program "to gradually wind the party down without major incident" (see Appendix 1).

The ten point program was more hard-nosed than previous strategies, with a menu of legislative changes, increased police personnel, a shift towards zero tolerance, restricted liquor sales and a drinking in moderation public awareness program.

Without question, the City was prepared for the 1991 B.C. Day weekend. Unfortunately, our community was blindsided with a riot occuring one week earlier (July 28, 1991) at the conclusion of Peach Festival following Music '91's M.C. Hammer concert. Normally, we have less overcrowding on this weekend.

On a positive note, the City continued with its ten point program in spite of the post-riot letdown, and the plan was instrumental in helping our City weather the 1991 August long weekend. We attribute our success to increased police presence, effective road-checks, restricted off sales of liquor, municipal/provincial legislation on riding in cargo compartments of motor vehicles, and a "Pride in Penticton" public awareness program (see Appendix 2).

Still, Penticton residents must now deal with a minimum two summer weekends where overcrowding, rowdy behaviour and possible civil disorder threatens local life and property.

C. PROBLEM

Penticton has an overcrowding problem in the summer with too many people, with too little to do, drinking too much alcohol. Under these circumstances, overcrowding changes behaviour, with people collectively acting in ways they individually might find unacceptable.

Since the riot, we have tried to understand its causes. Why was Penticton victimized? Was the riot a product of a general social and economic malaise in society or was it a specific response to authority in the form of police action? Did alcohol, peer pressure and the young age group contribute significantly to the riot or did overcrowding in itself ignite civil disobedience (see Appendix 3)?

Although we have neither the behavioural science expertise nor resources to adequately answer these questions, we can share our observations and experience of the past five years to help the task force come to grips with maintaining public order and preventing civil disturbances.

D. RECOMMENDATIONS

The recommendations are divided into two sections, preventative (pre-event planning) and remedial (response to civil disorder).

1. Preventative Measures

a) Legislative

i) **Through statutory amendments, Orders in Council or ministerial orders, make it an offence to have open liquor in a public place and motor vehicle, and provide an effective mechanism for collecting fines.**

During the summer, Penticton's crowds are often weighted in favour of young people, and excessive drinking is common. As the R.C.M.P. must prove "liquor consumption" as opposed to "liquor possession" under current legislation, they are limited in controlling open and excessive drinking in public and the boisterous behaviour that normally results. The above recommendation would go a long way towards reducing excessive drinking in our community.

All Canadian jurisdictions, excluding Saskatchewan and Northwest Territories, prohibit open liquor in a motor vehicle with reasonable exclusions. A number of provinces, including Ontario, Manitoba, Alberta and Saskatchewan have legislation governing illegal possession (open liquor in a public place). With regard to collecting fines, some provinces

have an "in default" system where failure to pay can result in incarceration.

The Union of B.C. Municipalities, B.C. Association of Police Chiefs, and Associated Boards of Health, by resolution, support the City of Penticton's position on open liquor in public places and motor vehicles.

ii) **Ask the federal government to consider amending the Young Offenders Act to permit the publishing of names of young offenders convicted of inciting or participating in a riot.**

In Penticton, eight young offenders were charged as a result of the riots (total persons charged - 22). Releasing their names to the public might prove a deterrent to future riotous behaviour, and make young people and their parents more accountable for this behaviour.

b) Law Enforcement

i) **Have the provincial government provide the necessary police, manpower and financial resources for a move towards zero tolerance in those communities facing severe overcrowding problems.**

In crowd control, a police presence in sufficient numbers is critical. A crowd may gain a sense of power resulting from evidence of police weakness or they may react against an overwhelming police presence. We need adequate police numbers to enforce the law, gather intelligence at road checkpoints, "cool off" the crowds and deal with possible troublemakers in a low key manner.

The above recommendation asks the provincial government to ensure sufficient police numbers are available to communities like Penticton, with the Province continuing to help finance these additional police resources. For example, the City of Penticton has increased the number of police personnel for the B.C. Day weekend from 50 to 167 members in the past five years and our costs have quadrupled from $50,0000.00 to $219,000.00 for the weekend (see Appendix 4).

c) Education/Training

i) Support and finance a pilot public education program to emphasize, during periods of overcrowding, drinking in moderation, responsible behaviour and respect for the law and community (see Appendix 5).

To turn the tide on possible civil disorder, we need to change attitudes. We want local and visiting youth to respect our City and we want our citizens to regain their sense of ownership of the community. For example, the City and business community delivered a successful small scale public awareness program called "Pride in Penticton" to help moderate rowdy behaviour during the 1991 B.C. Day weekend.

ii) **Develop a crowd management training program and offer it to police, municipal and festival officials in communities experiencing severe overcrowding.**

More staff training in the field of crowd management, through the Justice Institute or other agency, would help municipalities plan for and respond to problems of overcrowding.

iii) **Develop educational materials advising businesses on how to secure their properties during summer overcrowding.**

Downtown businesses bore the brunt of the Penticton riot and they would welcome professional advice from the provincial government on how to secure their businesses and property during serious overcrowding.

d) Other

i) **Develop an administrative mechanism with the General Manager, Liquor Distribution and Licensing Branch whereby a community can obtain mandatory, as well as voluntary compliance, for the restriction of liquor off-sales when faced with crowd management problems.**

Reducing alcohol consumption reduces uninhibited rowdy behaviour. In the past two years, area liquor outlets have voluntarily complied in stopping off-sales of liquor at the request of the local R.C.M.P. inspector. The noticeable decrease in incidents levels following the voluntary closure highlights the importance of reducing liquor availability in crowd management.

Although we have been successful in getting licensed premises support, we cannot always rely on voluntary compliance; and therefore we would like the Province to develop a mechanism for obtaining expeditiously from the General Manager, Liquor Distribution and Licensing Branch, permission to require mandatory compliance in closing off-sales of liquor.

ii) **Seek advice from professionals in the behavioural science field to better understand and respond to crowd behaviour.**

The recommendation suggests the Task Force seek advice from behavioural science professionals to better understand the crowd management problem (see Appendix 6).

2. Remedial Measures

a) Justice System

i) Designate a special prosecutor in the province to handle all offences arising from civil disorders.

To focus public attention on the civil disorder issue and develop a uniformity of prosecution for civil disorder offences in the province, we recommend assigning all of these types of offences to a special prosecutor.

b) Policing

i) Through provincial government finances, ensure a tactical troop and helicopter are available and ready to a community where civil unrest is more likely to occur.

To protect police members and the lives and property of citizens during periods of civil unrest, communities need special police resources on standby to deliver a quick response.

E. CONCLUSION

The City of Penticton will support and contribute to the ten recommended provincial initiatives outlined above, as well as the following local initiatives:

1) Plan and organize a menu of low-key, small scale events to help disperse crowds, while keeping youth occupied during their stay in Penticton.

2) Involve local youth in our 1992 crowd management planning.

3) Find ways through our local tourism strategy to broaden the visitor base during the mid-summer period, particularly the family tourism base.

4) Proceed with a trouble-free Peachfest '92 - - - an indicator that community spirit is alive and well in Penticton.

5) Encourage and train community groups to help local authorities set and maintain a harmonious tone on the streets.

6) Continue implementing our 1991 ten point B.C. Day weekend program.

On behalf of City Council and the citizens of Penticton, I wish the Task Force every success in developing a provincial strategy to help prevent civil disturbances at summer festivals in B.C. communities.

TW/bd(woo2\fir)

APPENDIX E

KELOWNA CHAMBER OF COMMERCE PRESENTATION

PRESENTATION TO THE TASK FORCE ON PUBLIC ORDER

Presented by
The Kelowna Chamber
of Commerce
October 23, 1991
* Paul Johnson
* Janis Mason

PRESENTATION
Wednesday, October 23, 1991

TO: Task Force on Public Order

BY: Kelowna Chamber of Commerce
- Paul Johnson
- Janis Mason

We of the Kelowna Chamber of Commerce are pleased that the Solicitor General of the Province of British Columbia has seen fit to appoint a task force to prepare recommendations designed to assist communities in avoiding public disturbances associated with special events.

In recent years, disturbances in Kelowna and other cities have had a negative impact on many aspects of community life, and we hope a way can be found to prevent further incidents of this type.

In preparing this submission, we have attempted to examine the problem and its causes. We have also offered what we consider to be reasonable solutions ..... from the perspective of most law-abiding citizens.

THE PROBLEM

The public disturbances that have occurred during the time of special or community events have had the effect of intimidating the business community, local government, and the public at large.

They have resulted in the cancellation of at least one major community event, and caused irreparable harm to the reputation of those cities involved.

Substantial financial loss and property damage were sustained by the businesses that were located in the vicinity of these disturbances.

The public is frustrated by the inability of the authorities to maintain law and order.

The business community is angered that their property has not been protected, and saddened that our city's reputation has suffered because of the actions of a relative few.

THE CAUSES

Public disturbances at special or community events seem - to us at least - to be a result of the deterioration in recent years in respect for authority, along with the rights and property of others.

The courts seem unable or unwilling to impose harsh sentences on those convicted of offences during these disturbances. In any event, discussions with law enforcement officials leads us to believe that current penalties do not act as a significant deterrent to this type of criminal activity. As an example, minors 'ticketed' for liquor offences often tear up the tickets as the police officer presents it, knowing full well there is nothing the officer can do. At least $100,000 of the fines involved have gone unpaid this year in Kelowna alone!

The abuse of alcohol has played a major role in all these disturbances, as has location and timing. Each has taken place in a relatively confined downtown area at about the time that all drinking establishments must close. These factors together have had the effect of placing a great many individuals, who have been drinking, on the streets at the same time, with nothing to do.

That's a little like filling a room with gasoline fumes. All that's required for an explosion at that point is a single spark.

RECOMMENDED SOLUTIONS

We recognized early in our discussions that the solutions we would be proposing to this task force would require legislation. We hope our elected representatives will take them seriously, and support them.

The Kelowna Chamber of Commerce Recommends:

- Zero tolerance of alcohol-related offences
- The sale of beer in cans only (a bottle makes a dandy weapon or projectile)
- Making parents responsible for the actions of their children at all times , legally and financially, until the age of majority
- Establishment of Municipal Courts to deal swiftly with those caught in the act of committing an offense
- Establishment of penalties that act as a deterrent and are enforceable, such as:
    - Confiscation of vehicles involved in alcohol-related offences, regardless of ownership
    - Fines levied against juveniles, but not paid within 30 days, should be collectable from their parents
    - If the name of a juvenile cannot be published, publish the names of the parents
    - Require full restitution for property damage

SUMMARY AND CONCLUSION

It is the opinion of the Kelowna Chamber of Commerce that public disturbances at special or community events are primarily the result of the erosion of traditional moral and social values as well as the family unit in recent years.

People of any age should, in our opinion, be responsible for their actions and be held accountable for any wrongdoing.

We believe the pendulum of change has swung too far in the direction of protecting the 'rights' of criminals, and it is now time for law-abiding citizens to send out the message in a loud, clear voice, "We are not going to take it any more!".

If legislative changes are necessary to return the legal system to its rightful position of protecting the rights and property of all members of society, then we wish our elected representatives would get on with it!

APPENDIX F

PENTICTON STUDENT COMMITTEE AGAINST RIOTING (SCAR)

PENTICTON SECONDARY SCHOOL

158 ECKHARDT AVENUE EAST
PENTICTON, B.C. V2A 1Z3
TELEPHONE: (604) 492-5646

Student Committee Against Rioting

PSS

Committee members:

Andja Kozic
Candace Laughlin
Nicole Gordon
Tyler Nixon
Jacinda Middio
Ed Kolasinski
Sherry Ashe

A. **INTRODUCTION**

S.C.A.R. - Student Committee Against Rioting

S.C.A.R. represents a percentage of the 1992 graduating class of Penticton Secondary School. Our group is always growing and changing and is open to membership to all Law 12 students who wish to join. We have gathered together not only to discover why a riot happened and how to prevent another one, but also to take a stand, set an example, and let Penticton citizens know that many young adults do care. We would also like to set a precedent and let people know we will not condone their delinquent behaviour.

B. **RECOMMENDATIONS**

The following information was compiled from a Law 12 survey of over 100 students attending Penticton Secondary School.

1) **As congestion in the downtown area results in the integration of antagonizers and followers, alternate destinations must be set up.**

Areas need to be restricted or outlined for youth to go and meet others. Large crowds attract people to join in, mingle and talk. From this, trouble arises for those who are drawn to the crowd for socializing.

Dances or organized party places should be thought of to disperse the crowds into smaller and allowable areas. This would undermine some of the instigator's plans to loot stores on Main Street because there would be no audience.

2) **Visible and extensive police preparation.**

We need to advertise or make it known to the public that the police force will be prepared for both weekends. Then, show the public proof by dispersing police authorities on bikes, cars, motorbikes and most importantly, on foot. When officers are seen by pedestrians, walking and patrolling the streets among them, they feel reassured, they relax and tensions are reduced. In this manner less force and procedures are needed for situations where a wrongful act may be occurring. We suggest 5 to 8 police officers per block.

3) **Community pride and public awareness. Educate to deter a riot as opposed to feeding it.**

Educating the public and community on how to protect their businesses or handle possible riot situations, will curtail the interests of the instigators because it will reduce the chance for

them to succeed in stealing, vandalizing or even just causing a disturbance. If the community is prepared and educated to remove themselves from a possible riot situation, it then will take away the drive of wrong doers.

4) **Road blocks to serve a both deterrent and enforcement.**

Penticton is a gorgeous city where tourists come in abundance in the summer. Toll booths should be set up to take a fee from those entering to stay in Penticton for the weekend. Our city is beautiful and should be treated with respect as Provincial parks. If we charge a fee, like a Provincial park, then tourists will think that Penticton must be special and important, therefore more respect for our city will be gained. The money collected, for those two weekends, would go towards any damaged city property to be repaired, yet if none then it would go towards the payment of the extra police enforcement brought in.

5) **Beaches to be kept open.**

The interests of the youth are ignored in that locations are not provided for them to meet.

McDonald's closes early, bush parties are dispersed and the youth are directed back into the city, house parties are disruptive, and finally beaches close to parking at 11:00 pm. There is no place left for youth to go. Beaches could be open till 1:30 or 2:00 am, just on these over-populated weekends, to limit the traffic on the roads and allow the people a place to meet, talk and enjoy themselves. When youth are forced to leave area after area, with no place to go, hostility is invited. Therefore they become violent or rebellious and take their frustrations out on objects or people around them. These are a few days out of the summer for people to really enjoy themselves. Please allow it to be done safely and calmly.

6) **Combine Peachfest with the long weekend.**

Originally, Penticton's Peach Festival was held on the August long weekend. The two were separated with the intention of lowering the amount of people in Penticton at one time. However, the separation has only succeeded in creating two heavily populated weekends instead of one. Recombining the holidays would enable city officials to spend their time and money all on that one weekend and therefore would lower the possibility of a riot.

7) **Stronger punishment for alcohol abuse and destructive behaviour.**

Penalties should be more severe. Students feel that the threat of serious punishment for infractions of the law would deter the Peachfest/long weekend population from taking part in minor possession, public consumption, drunkenness, and causing damage to the city. For example, a minor would be less likely to consume alcohol knowing that if caught, he would loose the privilege of a driver's licence until a later date.

8) **Leniency towards small bylaw infractions.**

Activities such as shooting water guns and throwing water balloons are a good way to use the energy that builds up here during Penticton's summers. Unless it becomes harmful to others these things are not negative and should be allowed.

9) **Keep the nightclubs open all night.**

During Peachfest and the August long weekend a substantial growth in the number of people out on the streets of Penticton occurs when the nightclubs close. By keeping these establishment open all night

during these weekends we not only keep potentia. rioters or onlookers off the streets but are providing more business for the city.

10) **Limit/stop the purchasing of alcohol.**

Alcohol is a major contributor to Penticton's corrupted weekends. During high risk times, alcoh should be cut off and no longer sold to create a period of detoxification. Limiting alcohol sales would be beneficial but difficult to enforce. If sales could be monitored (through a bylaw) and limi properly set this might alleviate the problem. T last alternative is stopping the sale of alcohol completely.

C. **CONCLUSION**

The Student Committee Against Rioting, is very concerned a interested, in what measures should be taken to prevent another riot in the CITY OF PENTICTON, and other innocent cities throughout the province. Our seven person committe was formed to share our views and opinions on the subject. Through our discussions and Student Body Poll, we formed te measurable improvements that can be considered for future Peach Festivals and long weekends. Our poll has concluded

that civil disobedience is unavoidable when many people are placed in a high energy, aggressive environment. Destruction is inevitable. S.C.A.R. would like the TASK FORCE on PUBLIC ORDER to direct our actions towards topics they would like investigated or topics we have presented that they would like further information on.

On behalf of the Student Committee, we greatly appreciate the time you have given us to express our views.

Sincerely,

S.C.A.R.

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APPENDIX G

KELOWNA RCMP PRESENTATION

PRESENTATION TO: TASK FORCE ON

PUBLIC ORDER

KELOWNA 91.10.23

Insp. R.R. Smith
Operations Officer
Kelowna Detachment

In the summers of 1986 and 1987 the City of Kelowna experienced full blown riots which together caused several hundred thousand dollars in property damage. Fortunately there were few serious injuries. Both occurred on the Kelowna Regatta weekend and following the second riot, the Kelowna Regatta, an annual event for years, was cancelled. The citizens of Kelowna were shocked that a public disturbance of such magnitude could occur in their city. Particularly when Kelowna's citizens had invited people from throughout the province and elsewhere to enjoy their hospitality at Regatta time. Regatta was intended to be a week long festival for the whole family to enjoy. What it became was a nightmare.

The people of Penticton experienced the same horrific nightmare during this year's Peach festival. Unfortunately it was not the first time Penticton had been the scene of such riots. Although they were not of the same magnitude, in the early 1970's during Peach Festival, riots occurred along Skaha Lake Road and at the site of what was then the Encola Hotel (the general area where this year's riots occurred).

Kelowna and Penticton are not the only cities in the province of B.C. who have experienced riots during city sponsored festivals. Nanaimo's Bath Tub Races and White Rock's Sand Castle Festival have also been marred by such disturbances in the recent past.

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The immediate and long term costs of riots associated to festivals is astronomical. In fact, I submit immeasurable. There are of course the immediate costs of repairing the riot damage. There is also the cost of prosecuting those arrested and charged with participating in the riot and the cost of incarcerating those convicted. There is the emotional costs to all of those impacted directly or indirectly. Business, City Officials at all levels, including from my perspective the police, undergo a horrendous amount of soul searching. In fact, most citizens of the victimized city suffer a good deal of emotional trauma.

There are also long term costs. For the businessmen the very people they hoped would visit their city and spend their holiday dollars, go elsewhere rather than risk exposing their families to the danger. It takes years to re-establish this tourist business. Volunteer organizations such as Kelowna's Kelowna Pride donate many thousands of hours of their time as part of the prevention process as do others such as elected officials. That is to say nothing of the many thousand of dollars of added policing costs also aimed at Riot Prevention. These "costs" are all long term.

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What causes these riots, who participates in them and what can be done to prevent them? I am not a psychiatrist, a sociologist or a criminologist so I can not give you answers about the cause of riots based on indepth study or research. I am however, a police officer who over a period of twenty-six years has witnessed or participated in the police response to a number of riots. As a young policeman in the late 1960's I experienced the terror of riots at Halloween in the lower mainland, the riot at the Rolling Stones Concert at the Pacific Collisium in Vancouver and the riots in Penticton in the early 1970's. I have also witnessed many rock and beer bottle throwing incidents at wild house or bush parties which are, in effect, mini riots. Most recently, I witnessed this summers Penticton Riot. Fortunately for me I was not in Kelowna 1986 and 1987, but I have spoken to and seen the impact on those who were. I have also experienced the pressures brought to bear on this cities police force by its citizens to do whatever is possible to prevent another riot.

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In my opinion there are a number of elements which, if they all come together at the right time and place, can erupt into a full blown riot. The first elements are of course crowds of people and a special event to drav them together. The people are generally young (14 to 30 years) and there must be alcohol - the more the better. There must also be a number of individuals who are in capable of having a good time without damaging something or injuring someone. Generally these "trouble makers" make up a very small percentage of the numbers required to start a riot, but if all of the elements I mentioned above are present then it takes very little to set things off. The majority of those who attend festivals do so to "party." They believe that because it is a civic festival, anything goes, particularly as it relates to the consumption of alcohol. Most of those young people believe it is their right to do as they please - particularly when they recognize that local authorities are overwhelmed. These young people know that if they do encounter the police, the worst that will happen is their liquor will be seized. They have no fear of being penalized for their actions. A $100.00 "ticket" for consuming in a public place means nothing because it is widely known that if you don't pay the voluntary penalty, nothing will be done by the government to collect the fine. The media in Kelovna earlier this week reported that there are over $100,000.00 in outstanding Liquor Act fines in Kelovna alone. Although I have not been able to confirm that fact, the dollar figure quoted does not surprise me.

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The over consumption of liquor by many is, of course, the primary catalyst of any riot. When under the influence of alcohol many of those young people, who under normal circumstances are decent law abiding citizens, seem to loose all sense of self control and rally to support the radical or criminal elements from whom they would normally disassociate themselves. Others who, even at the out set, have no intention of participating in or supporting the riot, are somehow drawn into it, if for no other reason than by being in the wrong place at the wrong time. Most young people do not have the good sense to leave the area when trouble is apparent and fail to realize that their presence only compounds the situation.

What then can be done to prevent riots at civic festivals? Needless to say the decision of Kelowna City Council to cancel the Regatta following the second riot in 1987 is one answer. Cancelling such events does not however, lessen the desire of some to participate in a riot. In fact, all of the elements I have previously mentioned have existed, to some degree, in Kelowna each year since 1987. For example, on the weekend of this year's Peach Festival riot Penticton RCMP arrested over 300 people, most for public order offences. Kelowna RCMP on the other hand, arrested over 180; most for drunkenness and causing a disturbance. A normal number of arrests would be 30 - 45 on a busy summer weekend. The majority of these arrests are also for drunkeness and related offences.

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In effect, we in Kelowna have had many of the elements necessary for a riot in recent years; the only element missing were the large numbers of young people. On the Saturday night of the 1991 B.C. Day weekend, for example, there were several dozen "trouble makers" in downtown Kelowna looking for something to happen. I personally observed rocks and bottles lined up against curbs and secreted in shrubbery. I can only assume that this small arsenal was intended as riot ammo for use against the police if the opportunity presented itself.

There has been a concerted effort by Kelowna R.C.M.Police to prevent another riot. Thousands of hours are expended each year in rescheduled time and overtime for the summer policing program which begins on the 24th of May weekend and continues through until after Labor Day. The overtime costs are considerable; $109,000 in 1991 alone. The rescheduled time is in effect a re-deployment of police resources and there is a corresponding loss of service to other areas of the city - a cost which cannot be measured. Summer policing programs though costly, in terms of tax dollars, are unavoidable and will be necessary for years to come if Kelowna is to regain its former reputation as a desirable family holiday destination. A highly visible police presence is essential. Visibility couple with a law enforcement policy designed to ensure compliance with the law

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(Zero Tolerance) is a obvious deterent. The police however, can not do it alone and community organizations such as Kelowna Pride can be invaluable. The people of Kelowna ove much to those who are involved in Kelowna Pride.

The question is then - is the current law adequate to deal with Festival Riots and what, if any new legislation, Provincially or Federally might be required to aid in the prevention of riots?

First of all, current Criminal legislation in the Criminal Code is, in my opinion, adequate (Sections 64 - Riot and 68 - Offences related to Proclamation, as well as, Section 175 - Causing a Disturbance). I am also of the opinion that the penalty Sections (Section 65 and 66) are adequate - particularly if the courts impose sentences close to the maximum such as they did at Penticton this year. I believe these sentences will be invaluable as a deterrent to those who may be inclined to riot - for the short term at least that is - it seems such lessons are short lived for some. Secondly I cannot conceive of any additions to the Criminal Law which would better enable the police to deal with riots. Nor can I think of any reasonable measures Federally which would aid in preventing a riot.

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There are measures, however that can be taken at the Provincial level which will do much to assist in the prevention of riots at festivals or other similar events. As I have pointed out, the availability, the overuse and public consumption of alcohol are primary contributors to any riot. Quite simply, drunkenness and the associated rowdiness sets the stage and give the participants the required excuse to behave poorly. Current B.C. legislation as it relates to the possession of and consumption of liquor in a public place is, in my view, (an opinion shared by the majority of police offices in the province) completely inadequate. For example, Section 42 prohibits the consumption of liquor in a public place. While Section 42 may appear adequate on its face, the courts have interpreted "consume" in its strictest sense. In other words, a peace officer must actually see the person drinking before a charge can be laid. It is not on offence to have open liquor in a vehicle or other public place unless of course the liquor is in the possession of a minor. The only recourse for a police officer, is to seize it under the authority of Section 68(1) LCLA. Seizing liquor is not a deterent as there always seems to be a never ending supply. There are no offences in the Province of B.C. for unlavful conveyance or unlavful possession of liquor. Several other provinces have such legislation and I would urge you to examine that legislation closely (copies attached). Such legislation would go along way towards providing B.C. law enforcement authorities with a worthwhile tool in their attempt to prevent riots.

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Any such amendments will not however, be of any benefit unless something is done, and done quickly, to ensure there is a meaningful penalty and default system for violating the provisions of the Liquor Control and Licensing Act. For all intents and purposes Violation Tickets issued for Liquor Act Offences are worthless pieces of paper. When a violator is encountered the police officer gives him/her a Violation Ticket - for most liquor offences the voluntary penalty is $100.00. Violators have 30 days to dispute the ticket or pay the fine. If they do not dispute the ticket within the 30 days they are then "deemed to have pleaded guilty to the described offences." Collection of the outstanding fine is then treated as a civil matter. It is here that the system breaks down and it has been a problem since the "default" system was repealed in Bill 53. In the years that followed the proclamation of Bill 53 the Provincial Court Registry handled the tickets. If the tickets were not paid one demand for payment was sent by mail to the violator. If the ticket was not paid by the time six months from the date of its issue, then no further action was taken. In November 1990 the process was turned over to the Government's Agents Office - the Government Agent does not send out letters demanding payment - they simply hold the ticket on file. No attempt whatsoever is made to collect the fine. The rational is that the cost of collecting the fines is greater than the value of the outstanding fine. .....

From a fiscal stand point, the present practice makes a lot of sense. The problem is however, is that it makes the legislation completely ineffective and the question is, what are the real costs and can we really afford not to. This fact may surprise some, but believe me thousands in this province who have been charged for violations of the Liquor Control and Licensing Act and ignored the process have known about it for some time. So do their friends and associates.

RECOMMENDATIONS:

1) That the Province of British Columbia enact legislative amendments to the LCLA providing for offences of Unlawful Possession of Liquor and Unlawful Conveyance of Liquor.

2) That the Province of British Columbia re-establish a default system to ensure the payment of fines for LCLA offences or take steps to collect all outstanding fines.

There is no one simple solution to the problem of festival related riots however, I believe that these two recommendations when coupled with other available enforcement and preventatives measures will do much to minimize the chances of such riots occurring in the future. As I have stated the abuse of alcohol is the primary contributor.

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